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RICHARD W. WEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

10 Attorneys for defendant CITY OF FREMONT,
11 CRAIG STECKLER, AND MICHAEL CHINN

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 JENNIFER SAMSON DAVID, by and
16 through her attorneys-in-fact ROBERT
NOVAK and CONSTANT NOVAK,
17 individually and in her representative capacity
as successor in interest to Glenn P. David,

18 Plaintiff,

19 vs.

20 CITY OF FREMONT, a municipal
corporation; CRAIG STECKLER, individually
21 and in his capacity as Chief of Police for the
City of Fremont; OFFICER MICHAEL
22 CHINN, individually; DOES 1- 10, inclusive,

23 Defendants.

24 } Case No.: C 05 00046 CW

25 } **ORDER GRANTING AS MODIFIED
STIPULATION CONTINUING EXPERT
REPORT DISCLOSURES AND
BRIEFING SCHEDULE AND VACATING
HEARING DATE FOR DISPOSITIVE
MOTION AND CASE MANAGEMENT
CONFERENCE**

1
2 RACHEL DAVID; M. D., by and through his)
3 Guardian Ad Litem, LORI ALEMANIA,
4 Plaintiffs,

5 vs.

6 CITY OF FREMONT, a municipal
7 corporation; CRAIG STECKLER, in his
8 capacity as Chief of Police for the CITY OF
9 FREMONT; MICHAEL CHINN,
10 individually, and in his capacity as a police
11 officer for the CITY OF FREMONT; and
12 DOES 1-25, inclusive, individually and in
13 their capacities as police officers for the
14 CITY OF FREMONT,

15 Defendants.

16 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

17 The parties, acting by and through their respective legal counsel, have been cooperating
18 in discovery matters and based on that discovery progress and the volumes of discovery
19 materials that have been produced to date stipulate to the following with regards to scheduling of
20 defendant's dispositive motion for summary judgment and respectfully request that the Court
21 amend its pre-trial order regarding the disclosure of expert reports, the briefing schedule for
22 dispositive motion and the date for hearing on said motion and the next case management
23 conference as follows:

24 April 25, 2006: Defendants file and serve their motion for summary judgment by
25 overnight express mail;

26 May 3, 2006: Parties to exchange their experts Rule 26 reports by overnight express
27 mail;

28 May 19, 2006: Plaintiffs to file and serve their opposition briefs by hand delivery
before 5:00p.m.;

June 2, 2006: Defendants to file and serve by overnight express mail their reply brief; thereafter, the motion for summary judgment will be deemed submitted on the papers, and no hearing will be held unless ordered by the Court.

June 16, 2006: Expert depositions completed.

Plaintiff Jennifer Sampson David's deposition maybe taken at any mutually convenient date, time and location up until and/or during trial of the above-captioned matter.

This case is referred to a Magistrate Judge for a settlement conference to be held before September 11, 2006, at the convenience of the Magistrate Judge's calendar.

IT IS SO STIPULATED

/s/

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San Francisco, CA 94108
T: 415-956-1360
Attorney for Plaintiffs JENNIFER SAMSON DAVID

Dated: April 12, 2006 BERTRAND, FOX & ELLIOT

/s/

Gregory M. Fox
Attorney for Defendants CITY OF FREMONT, et al.

BY STIPULATION OF THE PARTIES, IT IS SO ORDERED AS MODIFIED.

Dated: APR 18 2008


Claudia S. Wilken
United States District Court Judge